

PUBLIC NOTICE



**US Army Corps
of Engineers
Kansas City District**

**Permit No. 200400916
Issue Date: March 16, 2004
Expiration Date: April 6, 2004**

21-Day Notice

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102.

APPLICANT: Kansas City District, Corps of Engineers
700 Federal Building
Kansas City, Missouri 64106-2896

PROJECT LOCATION (As shown on the attached drawings): The proposed project is located in and along the left over bank of the Missouri River, between river miles (RM) 456 and 460, in and adjacent to the Worthwine Island Conservation Area. The Worthwine Island Conservation Area occupies 584 acres of land on the eastern floodplain. This land is owned and managed by the Missouri Department of Conservation (MDC). The site is located approximately 9 miles upstream of St. Joseph, Mo, in Sections 3, 10 and 15 of Township 58 north, Range 36 west, in Andrew County, Missouri.

AUTHORITY: The Missouri River Bank Stabilization and Navigation Fish and Wildlife Mitigation Project as authorized in the Water Resources Development Acts of 1986 and 1999 (Public Law 99-662) and Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY (As shown on the attached drawings): **PROPOSED WORK:** The U.S. Army Corps of Engineers (USACE) proposes to restore fisheries and wildlife habitat at the Worthwine Island Conservation Area. The proposed hydraulic features for fish, wildlife, and other habitat development will be constructed on MDC owned land. The entire site is located on the riverside of Missouri River Levee System (MRLS) Levee Unit L-476. Aerial maps of the Worthwine Island Conservation Area indicate that there was a historic chute traversing the area. This chute diverted water from the Missouri River near RM 459 and returned it back near RM 457. Placement of revetments and closure dikes during the construction of the Missouri River Bank Stabilization and Navigation Project (BSNP) greatly reduced flows through the chute and resulted in aquatic habitat degradation. At present, this historic chute is not connected to the river. This project proposes to restore the historic side chute of the Missouri River and add to the development of Shallow Water Habitat (SWH) in the Missouri River. The primary purpose of the Missouri River Fish and Wildlife Mitigation Project is to mitigate the habitat lost as a result of the BSNP.

The chute restoration and shallow water habitat development at the Worthwine Island Conservation Area includes the construction of a flow-through pilot chute with an initial bottom width of 50 feet along the approximate location of the historic chute channel (the chute will be designed to erode naturally to a maximum width of 200 feet). The chute is approximately 8773 feet in length and is offset from Federal Levee L476 approximately 800 feet on the riverward side. The chute deviates from the historic chute in areas that encroach upon the federal levee. The chute will be constructed with 1 on 1.5 side slopes and the depth of excavation will vary from 8 feet to 20 feet. Three quarry run rock control structures will be constructed along the chute to limit channel degradation and to limit meandering of the chute. These structures will be located at existing rockfill dike locations constructed for the BSNP and will be 5 feet deep, 30 feet long and 200 feet wide. The inlet to the chute will be constructed at an elevation depth of approximately -4.5 Construction Reference Plane (CRP), the outlet elevation depth will be at approximately -4.3 CRP. It is estimated that approximately 310,000 yd³ of material will be excavated for the project. Disposal methods for the excavated material include: 25,000 yd³ is proposed to be placed to create a new river access road to the inlet area of the restored chute; 75,000 yd³ is proposed to be placed along the land side of Federal Levee L476 to create a seepage berm to enhance the integrity of the existing levee; the remaining excavated material, approximately 210,000 yd³, will be deposited in the Missouri River by either of two methods. The first method is to haul the material and place it between the existing river dikes, which are shown as the habitat enhancement (spoil) areas on the attached drawings. The second method is to dredge the chute and dispose of the material as close to the thalweg of the Missouri River as possible; flow criteria would be set for water quality and navigation purposes. The material discharged into the river would contribute to the sediment load, with the additional sediment contributing to the formation of additional riverine shallow water habitat. MDC has already completed a timber harvest within the 200-foot wide alignment of the proposed chute, the remaining tree tops and stumps will be windrowed and burnt in place, prior to excavating the chute.

A preliminary determination has been made that the proposed work would be authorized by Nationwide Permit No. 27, Stream and Wetland Restoration Activities.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) OF 1968, as amended: The Corps has made a preliminary determination that the proposed project would not result in significant degradation of the human environment and therefore the proposed project would support a Finding of No Significant Impact (FONSI). The Corps will utilize comments received in response to this Public Notice to complete our evaluation of the project for compliance with the requirements of NEPA, and other Federal, state, and local regulations, including this review for project compliance with the requirements of Section 404 of the Clean Water Act. The Corps has made a preliminary determination that the project as proposed would not be contrary to the public interest and is in compliance with the Section 404(b)(1) Guidelines.

ADDITIONAL INFORMATION: Additional information about this public notice may be obtained by contacting Mr. David R. Hibbs, U.S. Army Corps of Engineers, Environmental Resources Section, 601 East 12th Street, Room 843, Kansas City, Missouri 64106, at telephone 816-983-3136 (FAX 816-426-2142) or via e-mail at David.R.Hibbs@usace.army.mil. All comments to this public notice should be directed to the above address.

WETLANDS: No discharge of dredged or fill material will occur in any jurisdictional wetlands identified in the project area.

DRAWINGS: The attached drawings provide location details of the proposed project.

PROPERTY ADJACENT TO PROJECT AREA: Property adjacent to the project area is owned by the Missouri Department of Conservation, Worthwine Island Conservation Area.

CULTURAL RESOURCES: The proposed project has been reviewed in compliance with the National Historic Preservation Act of 1966 (Public Law 89-665) including a check of the National Register of Historic Places and supplements thereto. No properties listed, proposed for listing, or eligible for listing in the National Register were identified in the project area. Furthermore, our evaluation of potential impacts to historic properties indicates that the project would not impact any properties listed, proposed for listing, eligible for listing, or potentially eligible for listing in the National Register of Historic Places. Pursuant to Section 106 of the National Historic Preservation Act, the Kansas City District has determined that no Historic Properties would be affected by the proposed project. The Kansas City District received a concurrence letter from the State Historic Preservation Officer on March 12, 2001, during the early planning stages for this proposed project.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work may affect, but is not likely to adversely affect, species designated as threatened or endangered or adversely modify or destroy critical habitat. In order to complete our evaluation of this activity, comments are being solicited from the U.S. Fish and Wildlife Service (directly under separate correspondence) and other interested agencies and individuals.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before Department of the Army authorization can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue authorization will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns,

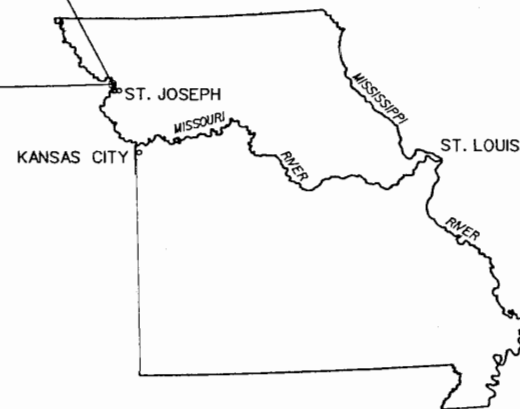
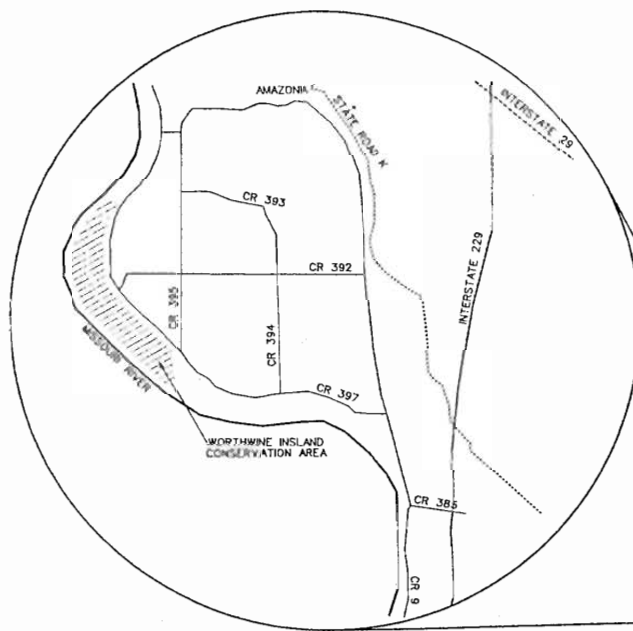
wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny an authorization for this proposal. To make this decision, comments are used to address impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of an authorization would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army authorization. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

PRELIMINARY SECTION 404(b)(1) EVALUATION REPORT
PUBLIC NOTICE NO. 200400916

	YES	POTENTIAL EFFECTS	NO
I. Physical Effects A. Potential destruction of wetlands..... B. Impact on water column..... C. Covering of benthic communities.....		X X X	
II. Chemical-Biological Interactive Effects A. Adverse effect of chemical constituents on water column..... B. Adverse effect of chemical constituents on benthos			X X
III. Applicable Water Quality Standards A. Will activity be in conformance with applicable standards?.....	X		
IV. Selection of Disposal Sites A. Impacts of fill material on chemical, physical, and biological integrity of aquatic ecosystem..... B. Have the needs for the proposed activity been considered?..... C. Have alternatives been considered?..... D. Impacts on water uses at the proposed disposal site	X X X	X X	
V. Contamination of Fill Material A. Contamination of fill material if from a land source.....			X
VI. Mixing Zone A. Have mixing zone determinations been established for each disposal site?.....			X
VII. Impacts to Navigation A. Impairment to maintenance of navigation. B. Economic impact on navigation and anchorage.....			X X
VIII. Public Participation and Coordination A. Will a public interest review be conducted?.....	X		



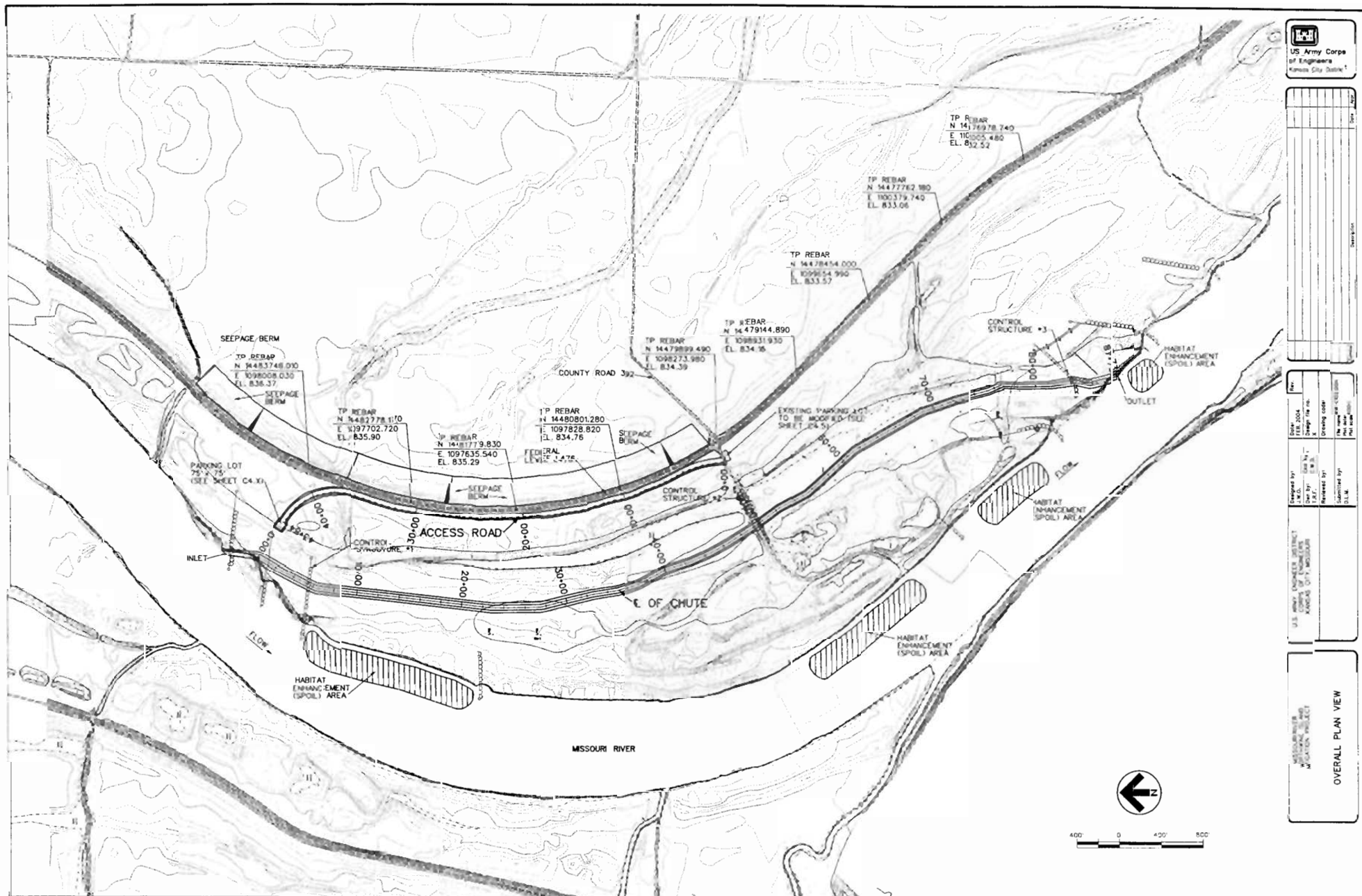
WORTHWINE ISLAND CONSERVATION AREA LOCATION MAP

Project No.	
Project Name	
Project Location	
Project Description	
Project Status	
Project Date	
Project Author	
Project Reviewer	
Project Approver	
Project Sign-off	

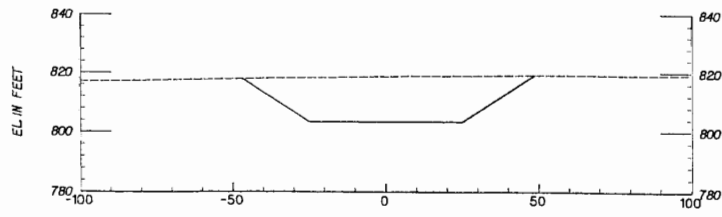
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LOCATION AND VICINITY

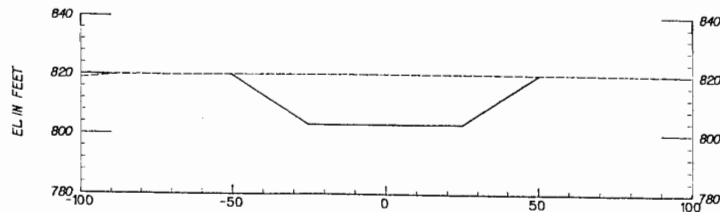
APPLICATION NO. 200400916
BY KANSAS CITY DISTRICT, CORPS OF ENGINEERS
RESTORATION OF FISHERIES AND WILDLIFE HABITAT
WORTHWINE ISLAND CONSERVATION AREA
MISSOURI RIVER BETWEEN MILES 456 AND 460
ANDREW COUNTY, MISSOURI
SHEET 1 OF 3
DATED 16 MARCH 2004



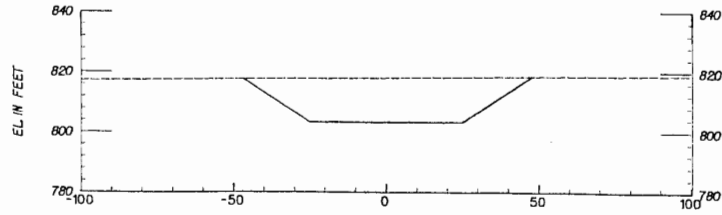
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 SHEET 2 OF 3
 DATED 16 MARCH 2004



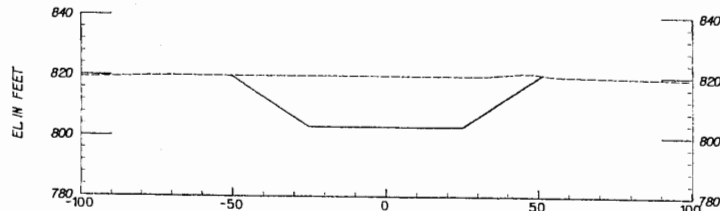
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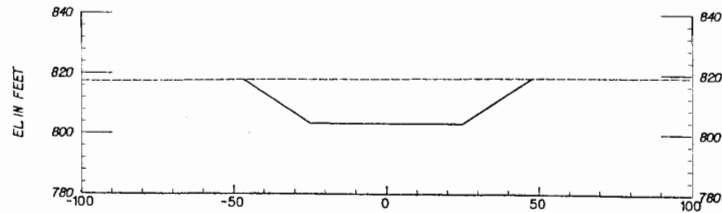
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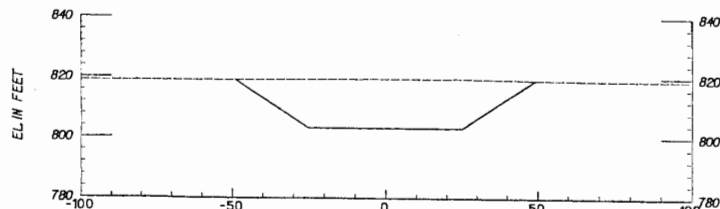
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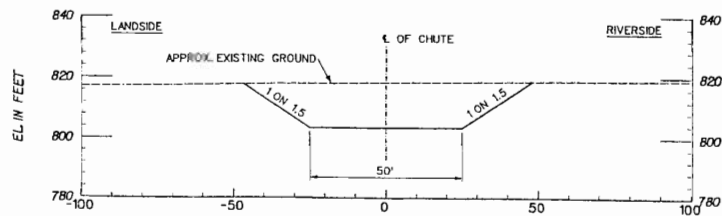
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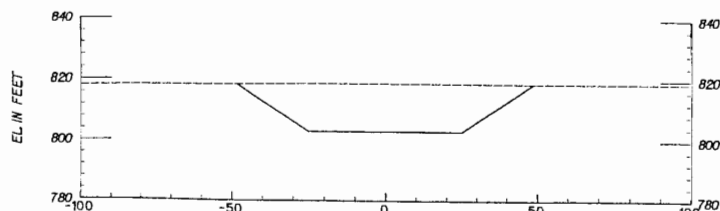
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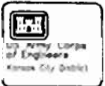
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Project No.	200400916
Drawn by	J. L. H.
Checked by	J. L. H.
Reviewed by	J. L. H.
Approved by	J. L. H.
Date	16 MAR 2004

U.S. Army Corps of Engineers Kansas City District	Project No. 200400916
Drawn by J. L. H.	Checked by J. L. H.
Reviewed by J. L. H.	Approved by J. L. H.
Date 16 MAR 2004	

TYPICAL CROSS SECTION

APPLICATION NO. 200400916
BY KANSAS CITY DISTRICT, CORPS OF ENGINEERS
RESTORATION OF FISHERIES AND WILDLIFE HABITAT
WORTHWINE ISLAND CONSERVATION AREA
MISSOURI RIVER BETWEEN MILES 456 AND 460
ANDREW COUNTY, MISSOURI
SHEET 3 OF 3
DATED 16 MARCH 2004